

PTO/SB/54 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

078781.P036

First named inventor: Paul S. Rago

Application No.: 10/888,841

Art Unit: 3749

Filed: 09/18/2003

Examiner: Jiping Lu

Title: AUTOMATIC AIR MOVEMENT FOR HAIR DRYERS

**RECEIVED
CENTRAL FAX CENTER
APR 27 2005**Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

☐ has been filed previously on _____
☐ is enclosed herewith.B. The issue fee and publication fee (if applicable) of \$ 1000.☐ has been paid previously on _____
☒ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

04/29/2005 MBELETE2 00000049 022666 10666641
01 FC:2453 750.00 DA

PTO/SB/64 (09-04)
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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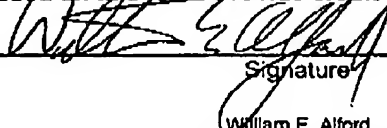
3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

William E. Alford

Typed or printed name

12400 Wilshire Boulevard, Seventh Floor

Address

Los Angeles, CA 90025

Address

February 28, 2005

Date

37,764

Registration Number, if applicable

(714) 557-3800

Telephone Number

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Issue Fee Transmittal

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

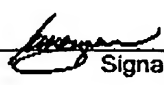
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☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

February 28, 2005

Date



Signature

Tu Nguyen

Typed or printed name of person signing certificate

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

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FACSIMILE: (714) 557-3347

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Deliver to: Issue Fee Art Group: 3749
Company Name: USPTO
Facsimile No.: 703.872.9306 Date: April 27, 2005
From: William E. Alford, Reg. No. 37,764
Our Docket No.: 78781P036 Number of pages 11 including this sheet.
Application: 10/666,641 Filing Date: 9/18/2003

Subject

Resubmission of Petition to Revive and Issue Fee Transmittal

Remarks

Per Ms. Lewis in Customer Service, the attached documents have not been acknowledged by the Patent Office. Accordingly, please find the resubmitted documentation with proof of transmission from February 28, 2005. Thank you.

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 LOS ANGELES, CA 90025

FACSIMILE COVER SHEET

Deliver to: Director, USPTO Art. Group: 3740
 Facsimile No.: 703 872-9206 Date: February 28, 2005
 From: William H. Alford, Reg. No. 37,764
 Our Code: No.: 287813536 Number of pages: 8 including this sheet.
 Application No.: 10665641 Filing Date: 2/18/2005
 Don't Due Date(s): _____

Enclosed are the following documents:

<input type="checkbox"/> Amendment (____pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (____pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application (____pgs) (cover & abstract)	<input type="checkbox"/> Petition for:
<input type="checkbox"/> Amendment & Cover Sheet (____pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Certificate of Candor	<input type="checkbox"/> Reply Brief (____pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)
<input type="checkbox"/> Declaration & PCA (____pgs)	<input type="checkbox"/> Request to Reopen Previous Reexamination Request
<input type="checkbox"/> Drawings: _____ sheets, _____ figures	<input type="checkbox"/> Response to Notice of Hearing Before a Patent Trial and Appeal Board
<input type="checkbox"/> Extension of Time	<input type="checkbox"/> Response to Written Opinion (____pgs)
<input type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Request (Amendment)
<input type="checkbox"/> I-56 & ProCD/Pro (____pgs)	<input type="checkbox"/> The content of Publication No. _____
<input type="checkbox"/> Other: Petition for Rehearing of an Application for Patent Abandoned Under 37 CFR 1.130(a)	<input type="checkbox"/> Transmittal Letter

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LOS ANGELES, CA 90025

FACSIMILE (714) 557-3347

FACSIMILE COVER SHEET

Deliver to: Jiping Lu, USPTO Art Group: 3749
 Facsimile No.: 703 872-9306 Date: February 28, 2005
 From: William E. Alford, Reg. No. 37,764
 Our Docket No.: 78781P036 Number of pages 8 including this sheet.
 Application No.: 10/666,641 Filing Date: 9/18/2003
 Docket Due Date(s): _____

Enclosed are the following documents:

- | | |
|--|---|
| <input type="checkbox"/> Amendment: _____ (____ pgs) | <input checked="" type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (____ pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: _____
(____ pgs) w/cover & abstract | <input type="checkbox"/> Petition for: _____ |
| <input type="checkbox"/> Assignment & Cover Sheet (____ pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of Facsimile _____ | <input type="checkbox"/> Reply Brief (____ pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
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| <input type="checkbox"/> Drawings: ____ sheets, ____ figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
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| <input type="checkbox"/> IDS & PTO/SB/08 (____ pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input checked="" type="checkbox"/> Other <u>Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)</u> | <input checked="" type="checkbox"/> Transmittal Letter |

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Tu T. Nguyen
Tu T. Nguyen

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FACSIMILE: (714) 557-3347

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Deliver to: Jiping Lu, USPTO Art Group: 3740
Facsimile No.: 703.872-9306 Date: February 28, 2005
From: William B. Alford, Reg. No. 37,764
Our Docket No.: 78781P036 Number of pages 8 including this sheet.
Application No.: 10/666,641 Filing Date: 9/18/2003
Docket Due Date(s): _____

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| <input type="checkbox"/> Appeal Brief (____pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application (____pgs) w/cover & abstract | <input type="checkbox"/> Petition for: _____ |
| <input type="checkbox"/> Assignment & Cover Sheet (____pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) |
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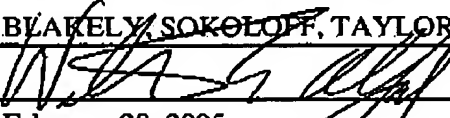
Date

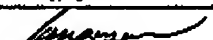
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/666,641	
		Filing Date	September 18, 2003	
		First Named Inventor	Paul S. Rago	
		Art Unit	3749	
		Examiner Name	Jiping Lu	
Total Number of Pages in This Submission		7	Attorney Docket Number	78781P036

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> -Petition for Revival under 37 CFR 1.137(b) -Issue Fee Transmittal </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William E. Alford, Reg. No. 37,764 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	February 28, 2005

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Typed or printed name	Tu T. Nguyen		
Signature		Date	February 28, 2005

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